

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Street: 603 EVERGREEN PLAZA BUILDING - 711 CAPITOL WAY

Mail: P.O. BOX 40919 OLYMPIA, WASHINGTON 98504-0919

(360) 753-3444

DO NOT WRITE IN THIS SPACE

REQUEST FOR MEDIATION

Instructions: See other side of this form.

Applicable Rules: Chapters 391-08 and 391-55 WAC.

The employer and/or employee organization request mediation for certain issues arising in negotiations for a collective bargaining agreement.

1. EMPLOYER

CONTACT PERSON

ADDRESS

CITY/STATE

ZIP

TELEPHONE (.....)

EXT.

FAX (.....)

ATTORNEY or

REPRESENTATIVE

ADDRESS

CITY/STATE

ZIP

TELEPHONE (.....)

EXT.

FAX (.....)

2. EMPLOYEE ORGANIZATION

CONTACT PERSON

ADDRESS

CITY/STATE

ZIP

TELEPHONE (.....)

EXT.

FAX (.....)

ATTORNEY or

REPRESENTATIVE

ADDRESS

CITY/STATE

ZIP

TELEPHONE (.....)

EXT.

FAX (.....)

3. EMPLOYER'S PRINCIPAL BUSINESS**4. COLLECTIVE BARGAINING AGREEMENT** Indicate:

[] The parties have never had a contract; OR

[] A copy of the parties' current (or most recent) collective bargaining agreement is attached.

5. DESCRIPTION OF BARGAINING UNIT Indicate inclusions/ exclusions, contract page or case/decision number:**6. NUMBER OF EMPLOYEES IN BARGAINING UNIT****7. HISTORY OF RELATIONSHIP** This bargaining relationship has existed since approximately**8. CURRENT NEGOTIATIONS** Number of meetings

Date of first meeting in current negotiations

Do both parties concur in requesting mediation?

9. ISSUES IN DISPUTE The specific issues in dispute, and the parties' positions on those issues, are as follows:**10. AUTHORIZED SIGNATURES** (Request may be submitted by employer, the employee organization, or by those parties jointly)

FOR EMPLOYER

NAME (PRINT) TITLE

SIGNATURE DATE

FOR ORGANIZATION

NAME (PRINT) TITLE

SIGNATURE DATE

INSTRUCTIONS FOR MEDIATION CASES

A. APPLICABLE RULES The Public Employment Relations Commission (PERC) provides mediation services under Chapter 391-55 WAC. The rules are available from PERC at (360) 753-3444 or on the web at www.olywa.net/perc. Parties should familiarize themselves with all of the rules applicable to their case.

B. FORM Fill in all information called for on the form. If you lack information (such as what representative will be used by a party), insert "Unknown".

- Item 1. The named Employer must be a party to the collective bargaining relationship under which the dispute arises.
- Item 2. The named Employee Organization must be the other party to the collective bargaining relationship under which the dispute arises.
- Item 3. Examples are: "City", "County", "School District", "Community College", "Technical College", "University", "Port District".
- Item 4. ATTACH the parties' current or latest collective bargaining agreement, if one exists (single-sided, unbound documents are preferred).
- Item 5. Describe the bargaining unit by listing the types of employees included and excluded, OR the contract page where the "recognition" clause is found, OR the case number or decision number from the latest PERC certification or unit clarification.
 - Submit a separate mediation request for each bargaining unit that will separately ratify and sign a collective bargaining agreement.
 - Mediation requests for bargaining units eligible for statutory interest arbitration may be processed separately from requests involving other employees of the same employer.
- Item 6. Indicate the number of employees in the bargaining unit.
- Item 7. Indicate the approximate year when the parties' bargaining relationship commenced.
- Item 8. Indicate the approximate number of meetings and approximate month and year of the first meeting.
- Item 9. WAC 391-55-010(9) requires detailed identification of issues and the parties' positions, and that information is needed for assigning cases. If more space is needed, ATTACH ADDITIONAL SHEETS containing the information.

PARTIES ARE ENCOURAGED TO SUBMIT THEIR LATEST WRITTEN PROPOSALS TO THE ASSIGNED MEDIATOR, FOR REVIEW IN ADVANCE OF SCHEDULED MEDIATION SESSIONS. WAC 391-55-050.

C. STIPULATED REQUEST FOR ASSIGNMENT If the parties desire to request one or more persons who are acceptable to both parties as mediator, their joint request should be submitted in writing or by fax with the mediation request or as soon as possible thereafter. The Executive Director will consider such requests, but the agency cannot guarantee that such requests will be granted.

D. FILING Take or send the completed and signed form with all attachments (plus one copy with all attachments) to PERC's Olympia office. PERC accepts mediation requests (up to a maximum of ten pages) by telefacsimile transmission (fax), subject to a requirement for same-day mailing of the original and 1 copy. The party sending a fax is responsible for confirming that the material was complete and legible when received.

E. SERVICE Beginning with the filing of a request and continuing throughout the proceedings, any party that submits papers to PERC is required to give or send a copy to all other parties to the case. WAC 391-08-120 includes:

(3) A party which files or submits any papers to the agency shall serve a copy of the papers upon all counsel and representatives of record, and upon all parties not represented by counsel or upon their agents designated by them or by law. Service shall be completed no later than the day of filing or submission under subsection (1) or (2) of this section, by one of the following methods:

(a) Service may be made personally, and shall be regarded as completed when delivered in the manner provided in RCW 4.28.080;

(b) Service may be made by first class, registered, or certified mail, and shall be regarded as completed upon deposit in the United States mail properly stamped and addressed.

(c) Service may be made by telegraph or by commercial parcel delivery company, and shall be regarded as completed when deposited with a telegraph company or parcel delivery company properly addressed and with charges prepaid.

(d) Service may be made by electronic telefacsimile transmission, and shall be regarded as completed upon production by the telefacsimile device of confirmation of transmission, together with same day mailing of a copy of the papers, postage prepaid and properly addressed, to the person being served.

On the same day that service of any papers is completed, WAC 391-08-120(4) requires the person who completed the service to either obtain an acknowledgment of service from the person who accepted personal service, or make a certificate stating the date and the approved method of service used by the person signing the certificate.

F. CONFIDENTIALITY A mediator may meet with the parties jointly or separately, and take such other steps as are deemed appropriate in order to persuade the parties to resolve their differences and reach an agreement. A mediator works without power of compulsion. In order to protect the confidential nature of the mediation process, PERC rules prohibit disclosure to any person of notes and memoranda made by any member of the commission or its staff as a recording of communication made or received while acting in the capacity of a mediator between the parties to a labor dispute. WAC 391-08-810. Additionally, no subpoena shall be issued or given effect to require the attendance and testimony of, or the production of evidence by, any member of the commission or any member of the PERC staff. WAC 391-08-310